

ENTERED

April 27, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JETHRO COOPER,

§

Plaintiff,

§

VS.

§ CIVIL ACTION NO. 4:17-CV-3671

§

THE TERMINEX INTERNATIONAL
COMPANY, *et al*,

§

§

§

Defendants.

§

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation (Instrument No. 27) of United States Magistrate Judge Christina Bryan signed on April 11, 2018, regarding **Instrument No. 14**.

The Court finds as of April 27, 2018, no objections were filed by either party pursuant to 28 U.S.C. § 636(b)(1)(C) and General Order 80-5, S.D. Texas. Failure to file objections within 14 days after being served with a copy has barred the parties from attacking on appeal the Magistrate's factual findings.

IT IS ORDERED that the Motion to Dismiss and to Compel Arbitration (Dkt. 14) is **GRANTED** as to Plaintiff Cooper.

As to individuals who consented to opt in, (Dkts. 4-11, 26) the Motion to Dismiss is **GRANTED WITHOUT PREJUDICE** to the filing of separate actions by those individuals.

IT IS FURTHER ORDERED that the statute of limitations for the consenting individuals is **TOLLED** from the date of filing the consent until 60 days after the Court adopts this memorandum and recommendation.

ORDERED, ADJUDGED and DECREED that United States Magistrate Judge Bryan's Memorandum and Recommendation is hereby adopted by this Court.

The Clerk will enter this Order and provide all parties with a true copy.

SIGNED on this 2nd day of April, 2018, at Houston, Texas.



VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE